

11:47:24

1 for a hearing?

11:47:28

2 A. Say that one more time.

11:47:29

3 Q. Look at your -- look at your garage of
4 discrimination. And there you say, "I was not given
5 ample time to repair my defense with an attorney."

11:47:39

6 A. I'm saying that an interim superintendent, who

11:47:44

7 had only been there a few months, recommends to the

11:47:48

8 board that I be nonrenewed. And she didn't know

11:47:51

9 anything -- she didn't know me, but she recommends to

11:47:54

10 the board that I be nonrenewed. And then when all this

11:47:57

11 came about and I started reading the policy, reviewing

11:48:00

12 it, it states if an employee -- if the employee desires

11:48:04

13 a hearing after receiving this notice. I -- I could

11:48:08

14 not trust or depend on them to give me a fair hearing

11:48:14

15 after the way I was treated. She's going to draw up

11:48:18

16 charges against me and she doesn't even know me, but I

11:48:24

17 did not choose to have a hearing without an attorney

11:48:27

18 being present.

11:48:28

19 Q. Okay. All right. I understand you're saying

11:48:29

20 that you didn't choose to have a hearing --

11:48:31

21 A. I did not.

11:48:32

22 Q. -- without having an attorney present. Okay.

11:48:36

23 Let's look at what I'm marking as Plaintiff's

11:48:40

24 Exhibit -- Deposition Exhibit Number 8.

25 MR. WAOBIKEZE: Ms. Hisel, do you have an extra

11:48:56

1 copy?

11:48:59

2 MS. HISEL: Oh, yeah. Sorry.

3 BY MS. HISEL:

11:50:39

4 Q. Did that give you -- did I give you a chance to
5 look over the documents there?

6 A. Yes.

11:50:44

7 Q. Are you familiar with the documents?

11:50:45

8 A. I've seen them, yes.

11:50:47

9 Q. Okay. Is that your signature at the top of the
10 first page of the letter dated March 29th, 2005, which
11 is regarding a notice of proposed nonrenewal?

12 A. Yes.

11:50:59

13 Q. Okay. Does this document advise you that the
14 district's governing body, the district's board of
15 trustees, at the board meeting held on March 24th,
16 2005, voted to approve the superintendent's
17 recommendation to nonrenew your employment contract
18 with the district?

19 A. Yes.

11:51:20

20 Q. Did it give you notice of the reasons for the
21 nonrenewal?

22 A. Notice? You mean notice before?

11:51:28

23 Q. Did it give you notice of what the reasons for
24 why they were going to go forward with the proposed
25 nonrenewal?

11:51:37 1 A. Yes.

11:51:38 2 Q. And what were those reasons?

11:51:41 3 A. These that are stated on this page?

11:51:43 4 Q. Yes.

11:51:44 5 A. Yes.

11:51:44 6 Q. Okay. It appears that number 1 is deficiencies

11:51:51 7 pointed out in observation reports, appraisals, or

11:51:54 8 evaluations, supplemental memoranda, or other

11:51:56 9 communications; is that correct?

11:51:57 10 A. That's what it states.

11:51:59 11 Q. Failure to fulfill duties or responsibilities;

11:52:02 12 correct?

11:52:02 13 A. That's what it states.

11:52:04 14 Q. Insubordination or failure to comply with

11:52:08 15 official directives?

11:52:09 16 A. It states that.

11:52:10 17 Q. Failure to comply with board policies or

11:52:13 18 administrative regulations?

11:52:16 19 A. Yes.

11:52:18 20 Q. Failure to meet the district standards of

11:52:18 21 professional conduct?

11:52:20 22 A. Yes.

11:52:25 23 Q. A significant lack of student progress

11:52:25 24 attributable to the educator?

11:52:25 25 A. Yes.

11:52:26 1 Q. And any attempt to encourage or coerce a child
11:52:29 2 to withhold information from the child's parent or from
11:52:31 3 other district personnel?

11:52:33 4 A. Yes.

11:52:38 5 Q. Is any of that true?

11:52:38 6 A. No.

11:52:37 7 Q. It's not?

11:52:38 8 A. No, it's not.

11:52:38 9 Q. None of it?

11:52:39 10 A. None of it.

11:52:48 11 Q. So whoever signed this just made it up; is that
12 correct?

11:53:09 13 A. Like I said, it's not true.

11:53:11 14 Q. So my question is, whoever signed this just
11:53:13 15 made it up?

11:53:14 16 A. Like I stated a few minutes ago, Ann Dixon did
11:53:18 17 not know me, had never met me.

11:53:25 18 Q. Okay.

11:53:28 19 A. How did she come up with things like that when
11:53:30 20 she didn't know anything about me? To my knowledge, I
11:53:30 21 had never laid eyes on her.

11:53:34 22 Q. Did she receive any kind of recommendations
11:53:37 23 from your supervisor?

11:53:38 24 A. I have no idea. Evidently, she did.

11:53:43 25 Q. Okay. So who do you think made these things up

11:53:46 1 because you say they're not true?

11:53:47 2 A. I don't know, ma'am.

11:53:48 3 Q. You don't know? You don't think it was

11:53:52 4 Ms. Dixon -- or Dr. Dixon?

11:53:53 5 A. I don't know.

11:54:00 6 Q. Okay. And did this document provide you with

11:54:03 7 notice that you could request a hearing regarding the

11:54:06 8 board's decision?

11:54:10 9 A. I think I saw that in here, yes.

11:54:16 10 Q. Did you see anything in the document that

11:54:18 11 appears to be a violation of the district's policy

11:54:22 12 regarding the nonrenewal of term contract employees?

11:54:29 13 MR. WAOBIKEZE: Objection, form.

11:54:30 14 A. No, I can't answer that.

11:54:32 15 BY MS. HISEL:

11:54:32 16 Q. Do you think there was anything wrong with the

11:54:34 17 document other than the fact that you think it's not

11:54:36 18 true?

11:54:36 19 A. I cannot answer that either. I don't know what

11:54:38 20 you mean you say anything wrong with the document.

11:54:44 21 Q. Okay. What did you do after you received this

11:54:52 22 letter?

11:54:52 23 A. I think I filed with the Texas Workforce

11:55:05 24 Commission.

11:55:05 25 Q. Let's look at the letter again. The letter is

11:55:08 1 dated March 29th, 2009; correct?

11:55:13 2 A. Which letter?

11:55:13 3 Q. The letter that's in front of you right now.

11:55:13 4 A. Yes.

11:55:16 5 Q. Which is, I think, Exhibit 8. So 19 days

11:55:26 6 earlier on March the 10th, I believe, you received a

11:55:33 7 notice that the superintendent was going to make a

11:55:35 8 recommendation to the board about you --

11:55:35 9 A. Yes.

11:55:39 10 Q. -- on -- on March 10th; right?

11:55:39 11 A. Yes.

11:55:41 12 Q. Nineteen days later, March 29th, you received a

11:55:44 13 letter from Dr. Dixon that she, indeed, had gone

11:55:47 14 forward to the board and made her recommendation;

11:55:47 15 right?

11:55:51 16 A. Yes.

11:55:52 17 Q. And during that 19-day period, did you do

11:55:57 18 anything to say, "This is way off base. All this stuff

11:56:01 19 is bogus. I don't know why you guys are thinking of

11:56:04 20 putting me up for nonrenewal, but this is wrong and I

11:56:07 21 want to tell you why"?

11:56:09 22 A. No, I didn't.

11:56:09 23 Q. Why not?

11:56:14 24 A. Why should I? After Ms. Ruffin's record, why

11:56:19 25 should I?

11:56:19 1 Q. And her record was?

11:56:21 2 A. Her treatment toward me. Why should I?

11:56:24 3 Q. And her treatment toward you was that you were

11:56:27 4 put into a different classroom?

11:56:29 5 A. It was more than that, ma'am.

11:56:31 6 Q. What was it?

11:56:32 7 A. I spoke about the markdowns on the appraisals.

11:56:34 8 Q. Did it affect your salary in any way? Did you

11:56:39 9 get a salary increase every year?

11:56:41 10 A. Yes, but --

11:56:45 11 Q. And I'm sorry if I don't -- if I'm not

11:56:47 12 understanding, help me understand.

11:56:50 13 A. It's not just about salary, ma'am. It was

11:56:54 14 about my integrity, about my profession, about honesty,

11:56:59 15 about a number of things. It wasn't salary.

11:57:05 16 Q. Okay. Well, you talked about honesty,

11:57:09 17 integrity, all of those things. And I admire those

11:57:14 18 things. Nowhere in there did I hear race, sex,

11:57:18 19 discrimination, any of that. And so my question is,

11:57:21 20 are we -- what is the issue? Does it have to do with

11:57:25 21 your feeling of --

11:57:27 22 A. It was not just feelings. There were actions.

11:57:30 23 Q. Such as?

11:57:31 24 A. I started out -- I talked to you about ACE-CMC

11:57:34 25 and I told you about the markdowns on the appraisals